

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

Richard Marasco, individually on behalf of
himself and all others similarly situated,

Plaintiff,

v.

American Expediting Company, Inc., A to Z
Couriers, Inc., Victor Finnegan, and John Does 1-
25,

Defendants.

Case No. 1:16-cv-00232-PKC-JO

STIPULATION FOR DISMISSAL

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the parties hereby stipulate that Plaintiff Richard Marasco ("Plaintiff") voluntarily dismisses his claims (without prejudice) as to: (1) Defendant American Expediting Company, Inc. ("AMEX"), and (2) Defendant Victor Finnegan ("Finnegan") that are premised on Finnegan's alleged role as CEO of AMEX, so that those claims can proceed to final and binding arbitration on an individual (not class or collective) basis, in accordance with the arbitration provision contained in Plaintiff's Owner Operator Agreement, annexed hereto as Exhibit A, or as otherwise agreed upon by the parties. All parties are to bear their own costs and legal fees with respect to these dismissed claims. A proposed Order of Dismissal is annexed hereto as Exhibit B. The remainder of the Third Amended Class Action and Collective Action Complaint is not dismissed and thus the case will remain open and active.

Dated: March 13, 2017

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